

CHAPTER 20 OLDER IOWANS LEGISLATURE

321—20.1(231) Purpose. The purpose of the older Iowans legislature (OIL) is to provide a forum for Iowa's citizens aged 60 and older and increase their awareness of important legislative issues and the legislative process. The bills considered by this senior legislature represent a statewide needs assessment and publicize the issues that affect older people to elected officials and the general public.

321—20.2(231) Description. The older Iowans legislature (OIL) is a unicameral model legislative body which provides an annual opportunity for older Iowans to participate directly in a legislative process modeled after formal procedures followed by the Iowa general assembly. One hundred delegates are community leaders elected by their peers in their local communities. Delegates will introduce bills, serve on OIL legislative committees and continue to serve as advocates at postsession meetings and panels. The Iowa capitol building is the site of the annual model legislature.

The model legislature will function in the manner described in these rules when funding is available and adequate. While the purpose remains the same, adjustments to the process may be made by the department after prior notice is given to current or potential participants.

321—20.3(231) Definitions. The terms used in these rules have the following meaning:

"Calendar" means a daily agenda of activities of the assembly which includes such things as bills to be acted upon by the assembly, committee hearings to be held that day or an address to be delivered.

"District" means one of the 100 geographic sections of the state containing a comparable number of people to the other 99 districts or sections of the state. Each district is assigned a number by the department for identification purposes and is represented by a single representative in the OIL assembly.

"Multiple delegate district" means a geographical area containing a concentration of elderly people which cannot be geographically divided in a reasonably acceptable manner and is assigned more than one delegate seat. The electorate of this area will vote for more than one delegate.

"Planning and service area" or *"PSA"* means a geographic area of the state that is designated by the commissioners for purposes of planning, development, delivery and overall administration of services under an area plan.

321—20.4(231) Timetable. The department has established the following timetable for the annual OIL:

January—1st Monday. The department mails an OIL timeline and information to area agency on aging (AAA) OIL coordinators and delegates.

March—1st Monday. Last day for potential delegates to file nomination petitions with the AAA.

April—2nd Monday. Election day in each AAA.

April—Friday after election. Each AAA submits certification of election results to the department.

April—4th Monday. Department mailing to delegates and AAAs which includes forms and information that are considered necessary by the department.

May—1st Monday. Delegates submit biography and committee preference forms to the department. The OIL coordinator at each AAA submits the delegation's nominations for leadership positions.

May—June. Educational meetings are convened by each AAA at the convenience of delegates and the AAA.

May—Election of OIL leadership by delegates-elect in attendance at a training session held for OIL coordinators and delegates from each AAA.

July—3rd Monday. Deadline for each AAA OIL delegation to submit four bills in priority order to the department.

July—last Monday. OIL leadership conference appoints committee chairpersons and approves members to individual committees.

August—2nd Monday. Deadline for the OIL delegation from each AAA to submit a maximum for four resolutions to the department.

August—3rd Monday. Department mails final packets to delegates and AAAs which contain pre-filed bills, and other information considered necessary by the department.

September—4th week. OIL session convenes on dates set annually by the department in cooperation with the capitol staff.

321—20.5(231) State apportionment of seats. The percentage of the aged 60 and over population of the state by PSA, as determined by the most recent U.S. census of the population, is used by the department to determine apportionment.

321—20.6(231) Election process.

20.6(1) Eligibility criteria. Any person may file to be considered as a candidate for election to OIL who:

- a. Has attained the age of 60 years on or before the day of the election;
- b. Is a resident of the district to be represented;
- c. Is willing to commit to a full term of service as an advocate for the elderly. This service may involve precession and postsession meetings as convened by the AAA coordinator.

20.6(2) Candidate characteristics. Candidates recruited shall be representative of their home area. Candidates shall include representatives of urban and rural areas, economic groups, both sexes, racial or ethnic minorities, senior citizens organizations, and other relevant distinctions.

20.6(3) Terms of office. It is the goal of this program to provide opportunity for participation to the greatest number of senior citizens possible.

- a. For greater continuity of operation, a delegate's term of office shall be two years, and a delegate may be elected to serve two consecutive terms.
- b. No delegate shall serve more than four consecutive years unless appointed to fill a vacated seat. In this instance, a delegate may serve up to a total of six consecutive years.
- c. The department shall notify the AAAs of delegates ineligible for reelection at the close of each session.

20.6(4) AAA advisory council apportionment of seats.

- a. An apportionment plan established by an AAA advisory council shall be filed with the department.
- b. Each AAA advisory council shall indicate in their apportionment plan the process by which annual elections in the total area will be held.
- c. AAA advisory councils may apportion seats within their PSA in any reasonably equitable manner. While AAAs have the option of basing apportionment on single geographic districts with equal populations, other options may be explored. These options include:

- (1) Multiple delegate districts in which all the older persons in the multiple district may vote for two or more seats.
- (2) Where a large minority population exists, a district might be apportioned to that minority group.
- (3) It may be desirable to apportion seats by county if population variations are not excessive.
- d. AAA advisory councils shall review apportionment plans annually.
- e. Any changes made in the apportionment plans by an AAA shall be submitted to the department for approval at least two months prior to the scheduled election.

20.6(5) AAA responsibilities in preparation for an election.

- a. Each AAA shall appoint a staff person to be the OIL coordinator.
- b. Elections shall be scheduled for the 2nd Monday of April unless an alternative date has received a 60-day prior approval from the department.

- (1) Primary elections shall not be held.
- (2) Elections shall not be waived by any AAA due to lack of contests in one or more districts.
- (3) Voting hours shall be chosen for the convenience of the majority of the eligible voters and widely posted and advertised at least two weeks prior to the election date.
- (4) AAAs shall establish as many polling places as feasible that will offer the opportunity to vote to the greatest number of participants such as city halls, courthouses, community centers, libraries, and public facilities, and not limited to congregate meal sites.
- (5) To staff the voting places, AAAs may recruit and register volunteer poll watchers.
- (6) Poll watchers' duties shall include keeping a list of voters at each voting place. The list shall be kept at the AAA office for 60 days following the election to be used in the event of a challenge.
- c. Local organization involvement. Local organizations shall be encouraged to assist in planning and scheduling elections, recruiting, nominating candidates, and obtaining the fullest possible participation of their members in the elections.
- d. Absentee voting.
 - (1) Although recommended by the department, the option of absentee or mailed ballots will be left to the discretion of the AAA.
 - (2) If allowed, absentee ballots shall be made available upon request of an individual voter, and an alphabetical list of persons requesting absentee ballots shall be prepared.
 - (3) The absentee ballot list shall be checked against the voter list prepared at the voting sites on election day.
 - (4) Ballots shall be validated upon receipt and be received at the AAA office on or before election day.

321—20.7(231) Declaring the winner.

20.7(1) *Tied election.* In the event of a tied election, the winner will be determined at the AAA office by a drawing to identify the winner. There shall be no runoff elections.

20.7(2) *Election certification.* Completed election certification forms supplied by the department shall be returned to the department office by the Friday following the election.

a. Certification forms not received by the due date will be approved by the department if due cause is found for the delay.

b. AAAs shall provide the department with the name and address, zip code, county of residence, telephone number and social security number of elected delegates.

20.7(3) *Replacement of a delegate-elect.*

a. In the event a delegate-elect becomes unable to fulfill the delegate role, it is the responsibility of the AAA advisory council to:

- (1) Declare the seat vacant;
- (2) Appoint an alternate delegate who meets all the criteria of candidates; and
- (3) Within five working days, notify the department of its action. Any vacated seat may be filled until four weeks prior to the start of the session.

b. It is the option of the AAA advisory councils to provide for the selection of alternates for each election district at the time of the general election.

c. Alternates shall not be reported to the department but shall be regarded by the AAA advisory council as potential replacements for delegates-elect who become unable to perform their duties.

d. Within ten calendar days of notification, the department shall supply to the appointed alternate the credentials necessary to fill the vacated seat.

20.7(4) *AAA postelection duties.* Postelection duties of AAAs and the AAA OIL coordinators shall be to:

- a. Participate in an educational opportunity provided by the department;
- b. Assemble delegates in May and June to organize the delegation, and assign responsibilities and assist the delegation in selection of committee preferences to ensure broad distribution of the delegates to committees;

- c. Establish a calendar of delegate activities such as training sessions, scheduling of hearings or forums, or bill drafting;
- d. Submit nominations for leadership positions to the department by the first Monday in May;
- e. Submit bills prioritized by the area delegates and approved by the AAA advisory council to the department by the third Monday in July; and
- f. Provide delegate training that includes, at a minimum:
 - (1) Review of the aging network and its interrelationships;
 - (2) Review of delegate's commitment and responsibilities concerning advocacy;
 - (3) Review of the general OIL calendar of events;
 - (4) Review of the legislative process; and
 - (5) Exercises in bill drafting.

20.7(5) *Delegate assignment to committees.*

- a. Committees shall be established annually by the department on the basis of the type of bills that are prefiled.
- b. Delegates shall serve on only one committee, since all committees will meet concurrently.
- c. Delegates who do not return their "committee preference" form will be assigned by the OIL leadership as necessary to complete committee rosters or to give the area delegation broader distribution in committees.
- d. Delegates may individually arrange meetings with other members of their committee for preliminary consideration of legislative issues, to conduct orientation for novice delegates, or to meet other delegates. These meetings are optional and expenses shall not be reimbursed by the department.

321—20.8(231) Prefiling and content of bills.

20.8(1) *Prefiling of bills.*

- a. Each area delegation may submit up to four bills which represent the needs and concerns of that area.
- b. Bills shall be prioritized by the area delegation and approved by the area advisory council.
- c. All submitted bills shall have a title, the name of the delegate(s) submitting the bill, the purpose or objective of the bill, and content. Listing on the bill as a sponsor does not indicate assignment to the committee considering the bill.
- d. To be considered a bill, the proposal shall call for a change in the Iowa Code or for the making of an appropriation.
- e. Delegates shall be assisted by AAA coordinators to gather pertinent information concerning the content and validity of the bills.
- f. The bills shall be in the format used by the Iowa general assembly.
- g. Reference shall be made to the appropriate section(s) of the Iowa Code and changes desired must be clearly indicated.

20.8(2) *Department responsibilities with prefiled bills.* The department shall:

- a. Number the bills in consecutive order after coordinating bills from all areas;
- b. Distribute the final drafts of prefiled bills to the delegates by the third Monday of August;
- c. Consult with the legislative service bureau regarding bill content and language; and
- d. Assign the final draft of prefiled bills to committees.

20.8(3) *Policy analysis.* The department may provide analysis on each prefiled bill.

20.8(4) *Committee action on bills.*

- a. Committee chairpersons shall determine the order in which the assigned bills shall be considered by the committee.
- b. Committees shall remember that the full OIL assembly has a limited time for debate and delegates must give fair consideration to all of the bills placed on the committee calendar.
- c. Although committees may amend, rewrite, or defeat bills assigned to them, bills presenting new ideas or issues not incorporated in prefiled bills shall not be developed in committee.

321—20.9(231) Resolutions.

20.9(1) *Prefiling of resolutions.* Four resolutions may be prefiled by each AAA delegation.

20.9(2) *Consideration of resolutions.* Proposed resolutions will be considered by the resolutions committee.

a. Committees may refer assigned bills to the resolutions committee for consideration. Committees shall submit desired resolution wording.

b. Resolutions suggested by committees shall be considered by the resolutions committee.

c. Only resolutions approved by majority vote of the resolutions committee will be sequentially numbered and reported for action to the general OIL assembly.

(1) Full OIL action on resolutions shall be by voice vote.

(2) Resolutions are not subject to amendment and may be either accepted or rejected by the majority of OIL delegates voting.

321—20.10(231) Leadership roles.

20.10(1) *Election of leadership.* Election of OIL leadership will be conducted in May by the department OIL coordinator.

20.10(2) *Rules committee.* The elected leadership shall constitute a “rules committee” and shall prepare guidelines regulating the conduct of delegates and committees during the session. By the third Monday of August, the guidelines shall be distributed to delegates.

20.10(3) *Procedural rules.*

a. A ballot listing all nominees for speaker, speaker pro tempore, and floor leader will be prepared by the department and made available at the election site. Candidates for the offices will be given an opportunity to campaign prior to the balloting.

b. Successful candidates must receive a majority of 50 percent plus one of the votes cast. If runoff balloting is required, the candidate(s) with the fewest votes will be removed from consideration on the next successive ballot.

c. There shall be no nomination from the floor at the election of leadership.

d. Robert’s Rules of Order, as amended, will be used to decide all issues pertaining to the election of leadership which are not specifically covered in these rules.

20.10(4) *Leadership vacancies.* In the event that a leadership vacancy occurs prior to the start of the session, the immediate runner-up in the final balloting will be appointed by the department to fill the vacancy.

20.10(5) *Teleconference.* A teleconference meeting convened by the department on the last Monday of July will be held with the elected leaders to appoint chairpersons for committees from among the nominees submitted by the area delegations and approve assignment of delegates to committees.

321—20.11(231) The OIL session.

20.11(1) *Parts of the session.* The annual session of OIL will consist of four parts:

a. Orientation to the capitol building and equipment;

b. Committee work sessions;

c. Floor debate on bills and resolutions reported from committees; and

d. Prioritization of bills passed by the full OIL membership.

20.11(2) *Presiding officers.* The presiding officers shall be the speaker, speaker pro tempore, and floor leader. The officers are responsible for maintaining order and decorum during the session. They will meet with the committee chairpersons, prior to the start of the session, to establish a calendar of activities.

20.11(3) *Lobbyists.* Lobbyists provide valuable information to delegates and will be permitted to make their presence known in the model legislature. Any person wishing to discuss legislation being considered by a committee during the session must make arrangements with the appropriate committee.

These rules are intended to implement Iowa Code sections 231.14 and 231.33(17,19).

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